



Entered on Docket
October 29, 2007

A handwritten signature in black ink, appearing to read "R. Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP
Susan M. Freeman (AZ 4199)
pro hac vice
Rob Charles (NV 6593)
Anne M. Loraditch (NV 8164)
530 Las Vegas Boulevard South
Las Vegas, Nevada 89101
Telephone (702) 385-3373
Facsimile (702) 385-9447
Email: sfreeman@lrlaw.com
rcharles@lrlaw.com
aloraditch@lrlaw.com

Attorneys for USACM Liquidating Trust

ORRICK, HERRINGTON &
SUTCLIFFE LLP
Marc A. Levinson (CA 57613)
pro hac vice
Jeffery D. Hermann (CA 90445)
pro hac vice
400 Capitol Mall
Sacramento, California 95814
Telephone: (916) 447-9200
Facsimile: (916) 329-4900
Email: malevinson@orrick.com
jhermann@orrick.com

Attorneys for USA Capital Diversified Trust Deed Fund, LLC

SNELL & WILMER, LLP
Robert R. Kinas (NV 06019)
Claire Dossier (NV 10030)
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, Nevada 89169
Telephone: (702) 784-5200
Facsimile: (702) 784-5252
Email: rkinas@swlaw.com
cdossier@swlaw.com

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
USA CAPITAL FIRST TRUST DEED FUND, LLC,
USA SECURITIES, LLC,

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

ORDER SUSTAINING OBJECTION OF USACM TRUST TO KATHLEEN J. MOORE CLAIM FILED IN WRONG DEBTOR'S CASE; AND SUSTAINING OBJECTION OF DTDF TO PROPOSED ALLOWANCE OF CLAIM

Hearing Date: October 15, 2007
Hearing Time: 9:30 a.m.



1 The Court having considered the "Objection of USACM Trust to Kathleen J.
 2 Moore Claim Filed in Wrong Debtor's Case; Objection of DTDF to Proposed Allowance
 3 of Claim" [Docket No. 4673] (the "Objection"); with appearances as set forth in the record
 4 at the hearing noted above; appropriate notice of the Objection having been given; no
 5 response to the Objection having been filed; and good cause appearing:

6 **IT IS HEREBY ORDERED** that:

- 7 1. The Objection is sustained;
 8 2. Proof of Claim No. 10725-00109 is disallowed in its entirety as against USA
 9 Commercial Mortgage and USA Capital Diversified Trust Deed Fund, LLC ("DTDF");
 10 and
 11 3. Kathleen J. Moore's equity interest in DTDF is allowed in the amount of
 12 \$30,072.37 for account no. 11516, as reflected in DTDF's books and records as of April
 13 13, 2006.

14 PREPARED AND RESPECTFULLY SUBMITTED BY:

15 **LEWIS AND ROCA LLP**

16 By /s/ Anne M. Loraditch (008164)
 17 Susan M. Freeman
 18 Rob Charles
 19 Anne M. Loraditch
 20 530 Las Vegas Boulevard South
 21 Las Vegas, Nevada 89101
 22 Telephone: (702) 385-3373
 23 Facsimile: (702) 385-5024

24 *Attorneys for USACM Liquidating Trust*

15 **SNELL & WILMER, LLP**

16 By /s/ Claire Dossier (010030)
 17 Robert R. Kinas
 18 Claire Dossier
 19 3883 Howard Hughes Parkway, Suite 1100
 20 Las Vegas, Nevada 89169
 21 Telephone (702) 784-5200
 22 Facsimile (702) 784-5252

23 *ORRICK, HERRINGTON &
 24 SUTCLIFFE LLP*

25 Marc A. Levinson
 26 Jeffery D. Hermann
 27 400 Capitol Mall, Suite 3000
 28 Sacramento, California 95814-4497
 29 Telephone: (916) 447-9200
 30 Facsimile: (916) 329-4900

31 *Attorneys for USA Capital Diversified
 32 Trust Deed Fund, LLC*



RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

- The Court waived the requirements of LR 9021.
 - I have delivered a copy of the proposed order to the Office of the United States Trustee and the parties who filed papers in response to the Objection or appeared at the hearing noted above, and each has:
 - approved the form of this order; and/or
 - waived the right to review the order; and/or
 - failed to file and serve papers in accordance with LR 9021(c); and
the following have disapproved the form of the order:
n/a
 - No opposition was filed to the objection and no other party or counsel appeared at the hearing.

LEWIS AND ROCA, LLP

By: s/ Anne M. Loraditch

Anne M. Loraditch (Nevada Bar No. 8164)
530 Las Vegas Boulevard South
Las Vegas, Nevada 89101

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